

P-2039-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

H8

Applicant:	HAI-YEHIA, Abdullah	Examiner:	LAMBKIN, DEBORA C
Serial No.:	09/856,616	Group Art Unit:	1626
Filed:	July 31, 2001	Attorney Docket No.:	P-2039-US
Title:	SCAVENGER COMPOUNDS		

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This Communication is filed in response to the Restriction Requirement dated September 27, 2002 issued by the United States Patent and Trademark Office in connection with the above-identified Application. A response to the September 27, 2002 Office Action was due October 27, 2002. Applicants are concurrently filing a Petition for a Five-Month Extension of Time, including the required fee. Therefore, a response is due March 27, 2002. Accordingly, this Communication is being timely filed.

In response to the Restriction requirement, Applicants hereby elect with traverse to prosecute Group VI drawn to compounds, process of making and methods of use wherein X is 4-10 membered ring, R1 and R2 is het-N substituted.

Traversal is made for the following reason: The subject matter of the other groups may be searched together with the subject matter of Group VI and hence would not be a burdensome search for the Examiner.

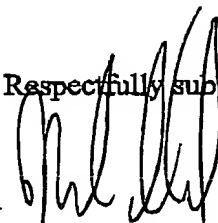
APPLICANTS: HAJ-YAHIA, Abdullah
SERIAL NO.: 09/856,616
FILED: July 31, 2001
Page 2

For the reason above, it is respectfully asserted that this Restriction requirement is improper, and withdrawal is respectfully requested. All claims of Groups I-VI should be examined together.

Lastly, in accordance with this restriction with traverse, Applicants reserve all rights in the claims that include all the groups to file divisional and/or continuation patent applications.

No fee is deemed necessary for filing this Communication. However, if any fee is required, the undersigned Attorney hereby authorizes the United States Patent and Trademark Office to charge Deposit Account 05-0649.

Respectfully submitted,




Mark S. Cohen
Attorney for Applicant(s)
Registration No. 42,425

Dated: March 24, 2003

Eitan, Pearl, Latzer & Cohen Zedek, LLP.
10 Rockefeller Plaza, Suite 1001
New York, New York 10020
Tel: (212) 632-3480
Fax: (212) 632-3489

p-2000\2039\us\drafts\res to restriction sep-27-02.doc (mfs) (24/3/2003: 6)

Applicant(s): HAJ-YEHIA, Abdallah Serial No./Patent No.: 09/856,616 Title: SCAVENGER COMPOUNDS		EPLC Docket No.: P-2039-US Hand Delivered on: 27 March 2003	
1. <input type="checkbox"/> Provisional Cover Sheet 2. <input type="checkbox"/> Design Patent Application Transmittal 3. <input type="checkbox"/> RCE Transmittal Sheet 4. <input type="checkbox"/> Transmittal Sheet for Entering National Phase 5. <input type="checkbox"/> Fee Transmittal Sheet 6. <input type="checkbox"/> Patent Application Under 35 USC 111(a) <input type="checkbox"/> Provisional Patent Application Under 35 USC 111(b)		10. <input type="checkbox"/> Response to Notice to File Missing Parts 11. <input type="checkbox"/> Response to Notice of Incomplete Reply 12. <input type="checkbox"/> Request for Correction of Filing Receipt 13. <input type="checkbox"/> Information Disclosure Statement including Form PTO 1449 and reference AA-AE 14. <input type="checkbox"/> Preliminary Amendment 15. <input checked="" type="checkbox"/> Response to Restriction Requirement dated: September 27, 2002	
Containing: _____ pages of Specification _____ pages of Claims _____ page of Abstract _____ pages of Formal Drawing _____ pages of _____		16. <input checked="" type="checkbox"/> Petition for a Five Month(s) Extension of Time 17. <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Appeal Brief 18. <input type="checkbox"/> Issue Fee Transmittal Sheet <input type="checkbox"/> Publication fee 19. <input type="checkbox"/> Submission of Formal Drawings: Two sets of 6 Sheets containing Figs. 1A-6	
7. <input type="checkbox"/> Power of Attorney 8. <input type="checkbox"/> Recordation of Assignment Cover Sheet & Signed Assignment 9. <input type="checkbox"/> Request for Correction of Recordation of Assign. and: -Recordation Cover Sheet -Copy of Notice of Recordation of Assign.		20. <input type="checkbox"/> Certified Copy of Priority Doc. 21. <input type="checkbox"/> Claim for Priority under 35 U.S.C. Section 119 22. <input type="checkbox"/> Revocation and Power of Attorney, including: - Statement Under 37 CFR 3.73(b) - Copy of Assignment 23. <input type="checkbox"/> Other:	
			
LSA# 9136			

LAWOFFICES

**Eitan, Pearl, Latzer & Cohen Zedek, LLP**

Direct Contact:

Mark S. Cohen

Telephone: (212) 632-3494

Fax: (212) 632-3490

MarkC@epk.us

FACSIMILE

Date: May 29, 2003
To: Examiner Lambkin
From: Mark S. Cohen
Application No. 09/856,616
Our Ref.: P-2039-US (135969)
Subject: SCAVENGER COMPOUNDS
Fax No.: 1-703-308 7922
of Pages: 6

Message:

Please find attached missing Response to the Restriction requirement

Yours sincerely,


PP Mark S. Cohen.

Eitan, Pearl, Latzer & Cohen Zedek, LLP

Rozema, Please enter. Da

10 Rockefeller Plaza
Suite 1001
New York, New York 10020

Telephone: (212) 632-3480
Facsimile: (212) 632-3489

The information contained in this facsimile message is only for the personal and confidential use of the designated recipient(s) named above. This message may be an attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.

www.technolawgy.com

Applicant(s): HAJ-YEHIA, Abdullah

Serial No. /Patent No.: 09/856,616

Title: SCAVENGER COMPOUNDS

EPLC Docket No.: P-2039-US

Hand Delivered on: Mar 25, 2003

1. ☐ Provisional Cover Sheet
 2. ☐ Utility Patent Application Transmittal
 3. ☐ RCE Transmittal Sheet
 4. ☐ Fee Transmittal Sheet
 5. ☐ Patent Application Under 35 USC 111(a)
☐ Provisional Patent Application Under 35 USC 111(b)
☐ Transmittal Sheet for Entering National Phase

Containing:

- ___ Pages of Specification
 ___ Pages of Claims
 ___ Page of Abstract
 ___ Pages of Formal Drawings
 ___ Pages of ___

6. ☐ Signed Declaration & Power of Attorney
 7. ☐ Request for Correction of Recordation of Assign. and:
 - Recordation Cover Sheet
 - Copy of Notice of Recordation of Assign.
 8. ☐ Recordation of Assign. Cover Sheet & Signed Assign.

9. ☐ Response to Notice to File Missing Parts
 10. ☐ Response to Notice of Incomplete Reply
 11. ☐ Request for Correction of Filing Receipt
 12. ☐ Information Disclosure Statement including:
 - Form PTO 1449 and references ___
 13. ☐ Preliminary Amendment

14. ☒ Response to Restriction Requirement dated
September 27, 2002
 15. ☒ Petition for a Five Month(s) Extension of Time
 16. ☐ Notice of Appeal ☐ Appeal Brief ___
 17. ☐ Issue Fee Transmittal ☐ Publication Fee
 18. ☐ Submission of Formal Drawings: Two sets of
 ___ Sheets containing Figs. ___
 19. ☐ Certified Copy of Priority Doc.
 20. ☐ Claim for Convention Priority
 21. ☐ Revocation and Power of Attorney, including:
 - Statement Under 37 CFR 3.73(b)
 - Copy of Assignment
 22. ☐ Other: ___